

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ELECTRONIC PRIVACY INFORMATION
CENTER, et al.,

Plaintiffs,

v.

U.S. OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Civil No. 1:25-cv-255-RDA-WBP

CONSENT MOTION FOR ENLARGEMENT OF TIME TO FILE REPLY BRIEF

Pursuant to Federal Rule of Civil Procedure 6, Defendants, with Plaintiffs' consent, respectfully move for a 7-day enlargement of time to file a reply in support of their motion to dismiss the amended complaint, to and including June 30, 2025. The good cause for this relief is as follows:

1. Plaintiff filed this civil action on February 10, 2025, asserting five causes of action in connection with data-systems access provided by the U.S. Department of the Treasury and Office of Personnel Management to individuals at those agencies affiliated with the U.S. Department of Government Efficiency Service. Dkt. 1. Plaintiffs also filed a motion for a temporary restraining order on February 12, 2025. Dkt. 5.

2. Following briefing and a hearing, the Court converted Plaintiffs' motion into one for a preliminary injunction and denied it on February 21, 2025. Dkt. 19, 20, 32, 35.

3. On April 15, 2025, Defendants filed a timely motion to dismiss the complaint for lack of subject matter jurisdiction and failure to state a claim. Dkt. 43. Under the local rules,

Plaintiffs' response to that motion was due on April 29, 2025. *See* L. Civ. R. 7(F)(1).

4. On April 28, 2025, Plaintiffs moved, with Defendants' consent, for a one-week extension of time to enable them to file an amended complaint. Dkt. 46. The Court granted that motion the same day. Dkt. 48.

5. Plaintiffs filed their amended complaint on May 6, 2025, adding new defendants and asserting eight causes of action. *See generally* Dkt. 51. On May 9, 2025, Defendants, with Plaintiffs' consent, sought a 14-day extension of time to respond to the amended complaint, which the Court granted the same day. Dkt. 52, 53. Defendants filed a motion to dismiss the amended complaint on June 3, 2025. Dkt. 54.

6. Plaintiffs filed their opposition to the motion to dismiss on June 17, 2025. Dkt. 57. Pursuant to Local Civil Rule 7(F)(1), Defendants' reply is due on June 23, 2025.

7. Due to undersigned counsel's competing demands in other litigation, as well as unexpected additional childcare responsibilities, Defendants require additional time to prepare and receive agency input on their reply. Accordingly, Defendants respectfully request that the Court grant a 7-day enlargement of time, to and including June 30, 2025, for Defendants to file a reply in support of their motion to dismiss.

8. Undersigned counsel have conferred with Plaintiffs' counsel, who indicated that they consent to the relief requested in this motion.

9. Because this motion is submitted with Plaintiffs' consent, there is no potential prejudice to any party if the motion is granted. Further, only one hearing is presently scheduled in this action—a hearing on Defendants' motion to dismiss on August 6, 2025—and there are no pending deadlines (other than Defendants' reply deadline); therefore, an enlargement of time would not affect any current proceedings in this Court.

10. Defendants waive hearing on this consent motion.
11. A proposed order is attached for the Court's convenience.

Dated: June 20, 2025

Respectfully submitted,

ERIK S. SIEBERT
UNITED STATES ATTORNEY

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